

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

v.

JAKE ELLIS DAUGHTRY (1)

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CASE NUMBER 1:20-CR-00055

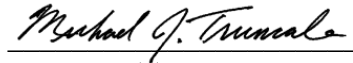
**ORDER OVERRULING OBJECTIONS AND
ADOPTING REPORT AND RECOMMENDATION**

Pending is the Defendant, Jake Ellis Daughtry's, *Motion for New Trial* (Doc. No. 535). The court referred this motion to Zack Hawthorn, United States Magistrate Judge, for consideration pursuant to Title 21 U.S. C. § 636(b)(1)(A) and (3) and the Local Rules of The United States District Court for the Eastern District of Texas. (Doc. No. 558.) On April 11, 2024, Judge Hawthorn entered a Report recommending that the Defendant, Jake Ellis Daughtry's, *Motion for New Trial* be denied. (Doc. No. 574.)

Daughtry timely objected to Judge Hawthorn's findings. (Doc. No. 577.) The court conducted a *de novo* review of the objections in relation to the parties' filings and the applicable law. *See* FED. R. CRIM. P. 59(b); 28 U.S.C. § 636(b)(1)(C). After careful consideration, the court finds the objections have no merit. As the magistrate judge concluded, a motion for new trial is not available because Daughtry pleaded guilty and waived his right to a trial in this matter. Moreover, the magistrate judge properly considered the Government's responses. Accordingly, it is

ORDERED that Defendant's objections (Doc. No. 577) are **OVERRULED** and that his *Motion for New Trial* (Doc. No. 535) is **DENIED**.

SIGNED this 6th day of May, 2024.

A handwritten signature in cursive script, reading "Michael J. Truncala", written in black ink.

Michael J. Truncala
United States District Judge